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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 2nd December, 1966:—

BILL No. 78 OF 1966

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act 1966. Short title.

2. In clause (6) of article 324 of the Constitution, after the words, brackets and figure "conferred on the Eelection Commission by clause (1)", the words, figures and letter "or by article 324A" shall be inserted. Amendment of article 324.

Powers to extend functions of Election Commission.

3. After article 324 of the Constitution, the following article shall be inserted, namely:—

"324A. An Act made by Parliament or the Legislature of a State, as the case may be, may provide for the exercise of additional functions by the Election Commission as respects the preparation of the electoral rolls for, and the conduct of, elections to any local authority constituted by law".

STATEMENT OF OBJECTS AND REASONS

Provisions of part XV of the Constitution have led to the creation of an Election Commission in which has been vested the power of superintendence, direction and control of election to Parliament and to the Legislature of every State. This body has come to specialise in everything concerning election. All political parties of India have come to bear full faith in this body. In a democratic set-up impartial and fair election is necessary and without a free and fair election democracy becomes a farce. Now that the country has decided to accept the principle of democratic decentralisation and powers are now going to be transferred to various local authorities, specially to the Panchayats to enable them to function as units of Self Government, the elections to these bodies have assumed added importance. For healthy growth and proper functioning of such local authorities it has become necessary that elections to these bodies and preparation of electoral rolls should be carried out on the same principle as they apply to Parliament and other State Legislatures.

The Bill, therefore, seeks to make provisions in the Constitution as well as empower Parliament or, as the case may be, the State Legislature to extend additional functions to be exercised by the Election Commission. As and when Parliament or the local Legislature think proper, it may by law extend the jurisdiction of the Election Commission to the superintendence, direction and control of elections to the various local authorities.

NEW DELHI; SHREE NARAYAN DAS.
The 13th October, 1966.

BILL NO. 79 OF 1966

A Bill further to amend the Constitution of India

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1966. Short title.

2. In article 370 of the Constitution, in clause (1), after sub-clause (*d*), the following sub-clause shall be inserted, namely:— Amendment of article 370.

"(*e*) every order made under sub-clauses (*b*) and (*d*) shall be laid, as soon as may be after it is made, before each House of Parliament."

STATEMENT OF OBJECTS AND REASONS

Several articles of the Constitution, pertaining to Presidential orders and Ordinances, reports of commissions etc. provide for the laying of such orders, Ordinances and reports etc. before Parliament. It is in the fitness of things that it should be so in a parliamentary democratic set-up. The failure to make a similar provision in article 370 is an obvious anomaly which the Bill seeks to cure by removing the lacuna in the article.

NEW DELHI;
The 14th October, 1966.

HARI VISHNU KAMATH

BILL No. 80 OF 1966

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Constitution (Amendment) Act, 1966.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of article 130.

2. To article 130 of the Constitution, the following proviso shall be added, namely:—

"Provided that a permanent Bench of at least three Judges shall be located in Bangalore.".

STATEMENT OF OBJECTS AND REASONS

It is a truism to say that justice should be, as far as practicable, inexpensive as well as expeditious. The convenience of the litigant public as well as of the Bar should be among the factors that should be taken into consideration in this connexion. Though article 130 provides that "the Supreme Court shall sit in Delhi or in such other place or places, as the Chief Justice of India may, with the approval of the President, from time to time, appoint", I am not aware of the Court having sat in any place other than Delhi during the last sixteen years or more when the Constitution has been in force.

I am confident that the people at large, no less than the legal profession, will welcome the proposal to have a permanent bench of the Supreme Court in Bangalore. It will have a tremendous psychological impact as well.

I am sure that both Government as well as Parliament will have no objection to the proposal contained in this Bill.

NEW DELHI; HARI VISHNU KAMATH.

The 2nd November, 1966.

FINANCIAL MEMORANDUM

Some expenditure is inevitable for initially assembling judges, officers and staff of the Bench in Bangalore. It is difficult to estimate the exact amount of non-recurring expenditure but it will not exceed Rs. 50,000, including arrangements for an adequate Library. Recurring expenditure for allowances and the rental of the building that will house the Bench, is likely to be of the order of Rs. 20,000 per annum.

S. L. SHAKDHER,
Secretary.

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